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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/820,333	03/28/2001	Pavitra Subramaniam	005306.P026	3135

7590 05/20/2005

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EXAMINER

TRAN, MYLINH T

ART UNIT	PAPER NUMBER
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2179

DATE MAILED: 05/20/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

**Office Action Summary**

Application No.

09/820,333

Applicant(s)

SUBRAMANIAM ET AL.

Examiner

Mylinh Tran

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 07 April 2005.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1,3,4 and 6-21 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1,3,4 and 6-21 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 28 March 2001 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☒ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)  
Paper No(s)/Mail Date 05/13/05.
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date. \_\_\_\_\_.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: \_\_\_\_\_.

### **DETAILED ACTION**

Applicant's Amendment filed 01/31/05 has been entered and carefully considered. Claims 1, 11 and 15 have been amended. However, limitations of amended claims have not been found to be patentable over prior art of record, therefore, claims 1, 3-4 and 6-21 are rejected under the new ground of rejection as set forth below.

#### ***Claim Rejections - 35 USC § 101***

35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1, 3-4 and 6-10 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter. A method can be statutory if the "method" is defined in the claims as being a computer implemented method.

The dependent claims are rejected for fully incorporating the deficiencies of their base claim.

#### ***Claim Rejections - 35 USC § 102***

The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty

defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

Claims 1, 3-4 and 6-21 are rejected under 35 U.S.C. 102(e) as being anticipated by Fratkina et al.[US. 2001/0049688].

As to claims 1, 11 and 15, Fratkina et al. discloses a method for loading a definition associated with a logical structure (relational database, page 7, 0181, page 17, 0312, the reference cites "Dialog engine uses a knowledge map and dialog control information to produce dialogs with users in the domain of knowledge map.....Dialog designers also use dialog engine to set goals, create triggers (rules), stored questions and user preferences that retrieve information from knowledge map....After the dialog designers have created the knowledge map and dialog control information and loaded it into memory, dialog engine is ready to have dialogs with users about the domain of the knowledge map" Fratkina et al. disclose "creating a knowledge map with dialog control information" read as loading a definition associated with a logical structure ); associating components of the logical structure to an intermediate unit (page 1, 0014), the components of the logical structure comprising a set of questions to be presented to a user as part of a customer relationship management user interface (page 1, 0013-0014, page 3, 0072 and page 4, 0094, Fratkina et al. cites "One obvious response to a user question is to determine whether it is...In human conversation, this is captured by: "so, are you really asking X"?....The responder asks the query in this way to ensure that a possible known "answer" is really relevant");

based at least in part on the loaded definition, executing the logical structure to determine a presentation sequence of the components associated to the intermediate unit (page 9, 0192-0196); and generating a file, which represents the presentation sequence of a network to allow presentation of the component, to transmit across as part of a user interface on a client terminal (page 17, 0312).

As to claims 3, 12 and 16, Fratkina et al. also disclose executing the logical structure to determine the presentation sequence of the component being further based at least in part on answers received from the client terminal (page 1, 0013).

As to claim 4, Fratkina et al. teach the answers received from the client terminal being stored in an answer table separate from the intermediate unit or in a database table (page 7, 0181).

As to claim 6, Fratkina et al. teach the intermediate unit comprising a logical entity having a virtual table, the virtual table capably associating portions of the loaded definition to a single structure (it's a part of database structure, page 7, 0181, page 17, 0312).

As to claim 7, Fratkina et al. also teach executing the logical structure to determine the presentation sequence of the components includes using a function call to read the loaded script definition (page 4, 0091).

As to claim 8, Fratkina et al. show the generated file comprising a hypertext markup language (HTML) file (page 3, 0053).

As to claims 9, 13 and 17, Fratkina et al. also show executing the logical structure to determine the presentation sequence of the components including interacting with a set of rules at the intermediate unit to determine a number of components, including questions at branches of the logical structure, to present on the client terminal (page 7, 0181).

As to claims 10, 14 and 18, Fratkina et al. show providing a first user interface component different from a second user interface component that generates the file to transmit across the network (page 7, 0177) the first user interface (table) has different component than the second user interface (table)); and using an element of the first user interface component to interact with the intermediate component to present the sequence at the first user interface component or to allow other manipulation related to the executed logical structure (page 7, 0177).

As to claim 19, Fratkina et al. provide the storage location comprising a database, the database having tables from which the definition is loaded by the loader (page 13, 0243-0244).

As to claim 20, Fratkina et al. also provide the storage location comprising a file system, the file system capable to store a definition file having the definition, the loader capable to load the definition file stored in the file system (page 17, 0312).

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As to claim 21, Fratkina et al. suggest the definition comprising a plurality of elements compiled into a single block of data stored in the storage location (page 15, 0291, data in each table is stored into a single block).

### **Response to Arguments**

Applicant's arguments with respect to 1, 11 and 15 have been considered but are moot in view of the new ground of rejection.

### **Conclusion**

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Mylinh Tran. The examiner can normally be reached on Mon - Thu from 7:00AM to 3:00PM at 571-272-4141.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Heather Herndon, can be reached at 571-272-4136.

The fax phone numbers for the organization where this application or proceeding is assigned are as follows:

703-872-9306

and / or:

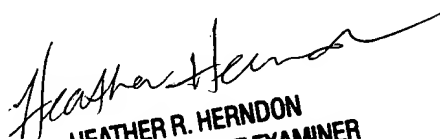
571-273-4141 (use this FAX #, only after approval by Examiner, for "INFORMAL" or "DRAFT" communication. Examiners may request that a formal paper / amendment be faxed directly to them on occasions).

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Mylinh Tran

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